



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Deputy Director General, in charge of Directorates B, C and D

Brussels, 29.03.2023
AGRI.DDG1/MD/([20233079155](#))

Written consultation of the Monitoring Committee of the Slovenian Rural Development Programme 2014-2022, held between 27 and 29 March 2023

Dear Ms Žagar,

In relation to the documents submitted during the written consultation ⁽¹⁾ pursuant to Article 49(1) of Regulation (EU) No 1305/2013 under the Slovenian Rural Development Programme (RDP), the services of the European Commission express reservation for the announced approach on programming Measure 4 in the forthcoming RDP amendment, and invite the Managing Authority to explain in the strategic chapters of the RDP the changed economic situation that leads it to re-programme allocations all across the RDP.

It is the understanding of the Commission services, that in order to implement M13 for the claim year 2023 via RDP, the Managing Authority intends to finance it, among others ⁽²⁾, by committing to projects approved under M4 more money than allocated in

⁽¹⁾ As received by the European Commission via SCF2014 on 16 March 2023. Slovenian reference is 3310-9/2015/477 of 9 March 2023 The document is registered under the reference Ares(2023)1914751 of 16 March 2023.

⁽²⁾ The allocations to the following measures will be reduced and transferred to M13 as follows:

- M04 Investments in fixed assets (by EUR 36.3 million),
- M06 Farm and business development (by EUR 1.6 million),
- M08 Investments in forest area development and improvement of the viability of forests (by EUR 2.2 million),
- M09 Establishment of producer groups and organisations (by EUR 0.2 million),
- M 14 Animal Welfare (by EUR 0,2 million),
- M22 Exceptional temporary support to farmers and SMEs (by EUR 2.4 million),
- technical assistance (by EUR 1.2 million),
- M10 AECEM is (by EUR 2.8 million) and to
- M11 Organic Farming (by EUR 1.1 million).

Mr Maša Žagar
Director-General for Agriculture
Ministry of Agriculture, Forestry and Food
Dunajska 22
1000 Ljubljana
SLOVENIA

the Chapter 10.3 of the RDP, with a parallel programming of a carry-over for M4 in the CAP Strategic Plan (CAP SP).

Article 155(4)⁽³⁾ of Regulation (EU) 2021/2115 allows to carry-over investment projects, which will result in the project being partially covered by RDP and partially by the CAP CSP. Since the document describing the RDP amendment claims that the implementation and consequent payments to projects under M4 are delayed, reference to Article 155(4) may be used in the context of the RDP amendment. However, such programmed carry-over requires that the projects are split into two corresponding financial stages with two corresponding allocations: one in Chapter 10.3 of the RDP and one in descriptions of the concerned interventions in the CAP SP.

Moreover, Article 155(4) of Regulation (EU) 2021/2115 should not be used for committing to projects approved under M4 more money than allocated in the Chapter 10.3 of the RDP. The grant decisions made under RDP should be covered by the RDP budget and no over-commitment should occur. For the formal submission of the RDP amendment, the Commission services invite the Managing Authority to confirm that it will not commit to projects (to be) approved under M4 more money than allocated in the Chapter 10.3 of the RDP.

In the meeting held between the two director generals, Ms Maša Žagar and Mr Wolfgang Burtscher on 2 March 2023, the Directorate General for Agriculture and Rural Development (DG AGRI) was informed that the main reason to implement M13 in the claim year 2023 via RDP is in the financial underperformance of M4 due to the economic situation. However, the document submitted into written consultation provides no detailed account on this. For the formal submission of the RDP amendment, the Commission services invite the Managing Authority to provide a convincing explanation of the economic situation and its consequences for the underperformance of M4 leading to a changed intervention strategy on Priority 2 and Priority 3 of the RDP.

By 21 March 2023, when the Commission services have started to draft the present letter, they had not yet received the detailed descriptions of the changes. The Managing Authority is therefore informed that the Commission services could not perform the checks ahead of the official submission of the RDP amendment (such indicator table, consequences for the respect of non-regression threshold of 51.06%, consequences for allocations to Priorities). The Commission services will carry out these checks upon the official submission on the RDP to the European Commission and may make further observations based on those checks.

⁽³⁾ *Expenditure relating to legal commitments to beneficiaries incurred under the measures referred to in Articles 14 to 18, Article 19(1), points (a) and (b), and Articles 20, 23 to 27, 35, 38, 39 and 39a of Regulation (EU) No 1305/2013, Article 35 of Regulation (EU) No 1303/2013 and Article 4 of Regulation (EU) 2020/2220 after 31 December 2025 may be eligible for an EAFRD contribution in the CAP Strategic Plan period, subject to the following conditions:*

(a) such expenditure is provided for in the relevant CAP Strategic Plan in accordance with this Regulation, with the exception of Article 73(3), first subparagraph, point (f), thereof, and complies with Regulation (EU) 2021/2116;

(b) the EAFRD contribution rate of the intervention established in the CAP Strategic Plan in accordance with this Regulation to cover those measures applies.

The Commission services would like to request the Managing Authority to document the position expressed in this letter in the minutes of the written consultation of the Monitoring Committee.

Yours sincerely,

Mihail DUMITRU